

## **REMARKS**

Claims 1-19 are pending in the application. Claims 1-19 stand rejected. Claims 1, 5 and 12 have been amended. In view of the following, all rejected claims are in condition for allowance.

### **Rejection of Claims 1-6 and 8-19 Under 35 U.S.C. 102(b) As Being Anticipated By** **Aavitsland**

#### **Claim 1**

Claim 1 recites a vessel comprising a propulsion system and a hull having multiple operating modes in which the hull is operable to be moved by the propulsion system from a first geographic location to a second geographic location.

For example, referring, *e.g.*, to FIGS. 5A-5D and paragraphs 37-48 of the present application, a ship 100 has a multi-mode hull 510 that allows the ship to traverse a body of water (or portion thereof) in at least the following four modes: a logistics mode (FIG. 5A), a catamaran mode (FIG. 5B), a SWATH mode (FIG. 5C), and a low freeboard mode (FIG. 5D).

Aavitsland, on the other hand, fails to teach a propulsion system and a hull having multiple operating modes and operable to be moved by the propulsion system in each of the multiple operating modes from a first geographic location to a second geographic location. As cited by the Examiner, and referring to, *e.g.*, FIGS. 1-3 and column 1, lines 56-67, Aavitsland teaches a catamaran 1 that can be lifted from a first draft position (*i.e.*, first operating mode) by a ballast system to a second draft position (*i.e.*, second operating mode) such that a load unit 2 can be floated into the space between the two hulls of the catamaran, after which the catamaran is lowered onto the load unit. Aavitsland fails to teach or suggest a propulsion system that moves the catamaran 1 and an associated vessel over a body of water while in the second draft position, which is used solely for loading cargo. As such, Aavitsland fails to teach or

suggest that the catamaran 1 is operable to be moved by a propulsion system from a first geographic location to a second geographic location in each of multiple operating modes.

#### **Claims 5 and 12**

Claims 5 and 12 are patentable for reasons similar to those discussed above in connection with claim 1.

#### **Claims 2-4, 6, 8-11 and 13-19**

Claims 2-4, 6, 8-11 and 13-19 are patentable by virtue of their respective dependencies from claims 1, 5 and 12.

#### **Rejection of Claim 7 Under 35 U.S.C. 103(a) As Being Unpatentable Over**

##### **Aavitsland In View of Barbier**

Barbier fails to supply the teachings missing from Aavitsland, namely a propulsion system and a hull having multiple operating modes and operable to be moved by the propulsion system in each of the multiple operating modes from a first geographic location to a second geographic location. As such, Aavitsland and Barbier, taken each alone or in combination, fail to teach or suggest the limitations recited in claim 5. Accordingly, claim 7 is patentable by virtue of its dependency from claim 5.

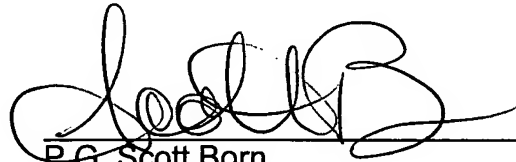
#### **CONCLUSION**

In view of the foregoing, claims 1-19 are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. The Applicants' attorney respectfully draws the attention of the Examiner to the February 17, 2005 telephone conference between the Examiner and the Applicants' attorney in which the Examiner indicated his agreement that the claim amendments herein overcome the cited prior art. Accordingly, the Applicants' attorney respectfully requests the Examiner to withdraw all claim rejections based on the cited prior art.

If the Examiner believes that a telephone conference would expedite prosecution of this application, please telephone the undersigned at 425.455.5575. The Applicant's attorney respectfully requests the Examiner to telephone the undersigned prior to issuing an Office Action that rejects any pending claim in this case.

In the event additional fees are due as a result of this amendment, you are hereby authorized to charge such payment to Deposit Account No. 07-1897.

Respectfully submitted,  
GRAYBEAL JACKSON HALEY LLP

A handwritten signature in black ink, appearing to read 'P.G. Scott Born', is written over a horizontal line.

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